

memorandum

DATE: February 19, 1998

REPLY TO: Office of Environmental Policy and Assistance:Koss:202-586-7964
ATTN OF:

SUBJECT: CLEAN AIR ACT INFORMATION -- AREAS TO WHICH THE 1-HOUR OZONE AMBIENT STANDARD WILL NO LONGER APPLY

TO: Distribution

The purpose of this memorandum is to advise program and field offices that some Department of Energy (DOE) facilities subject to the 1-hour ozone National Ambient Air Quality Standard will shortly become subject to the 8-hour ozone standard. On July 18, 1997, the Environmental Protection Agency (EPA) promulgated a regulation (at [62 FR 38856](#)) that replaced the 1-hour 0.12 ppm ozone standard with an 8-hour standard of 0.08 ppm. On January 16, 1998, as part of its plan to implement the new 8-hour ozone standard, EPA published both a proposed rule (63 FR 2804) and a direct final rule (63 FR 2726) to revoke the old 1-hour ozone standard in those areas that EPA has determined do not currently violate the 1-hour standard. These areas will become subject to the new 8-hour standard. All other areas remain subject to the old 1-hour standard until EPA determines they do not violate the 1-hour standard, at which time EPA will likewise revoke the 1-hour standard and replace it with the 8-hour standard. EPA plans to publish on an annual basis similar actions identifying areas where the 1-hour standard is no longer applicable.

EPA has also amended the ozone area designation and classification listing codified in 40 CFR Part 81, which is available at 63 FR 2726. The new ozone listing identifies areas where the 1-hour standard no longer applies, as well as where the 1-hour standard remains in effect. These amendments in the direct final rule will become effective on March 17, 1998 unless adverse comments are received during the public comment period. Thus, by this action, DOE facilities that are in ozone attainment areas will become subject to the new 8-hour standard. Some DOE facilities are in areas that will still remain subject to the old 1-hour standard, and some facilities are in areas previously classified as "marginal nonattainment", which now have been reclassified as attainment subject to the 8-hour standard. Changes to ozone area designations and classifications are relevant to DOE facilities in ozone nonattainment areas undertaking a Federal action that would be subject to the general conformity rule, which implements §176 of the Clean Air Act. EH-41 plans to soon issue a complete update of the air quality designations and classifications for areas with DOE facilities that was distributed on June 14, 1997.

A copy of the direct final rule (79 pages) can be accessed and downloaded from: (<http://tis-nt.eh.doe.gov/oepa/rules/63fr2726.pdf>). A copy of this memorandum and the direct final rule can also be downloaded from the EH-41 Web site: (<http://tis-nt.eh.doe.gov/oepa/>); from this location click on the "Policy and Guidance" button, then the "Clean Air Act" selection. For further information on this rule, please contact Ted Koss of my staff (at 202-586-7964 or theodore.koss@eh.doe.gov).

(original signed by Andrew Wallo III)

Andrew Wallo III
Director

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